



## ***Governor's 2012 Task Force on the study of Kentucky's Alcoholic Beverage Control Laws***

### **Public Safety Committee Meeting – August 29, 2012**

Committee Chair – Danny Reed, Kentucky ABC Distilled Spirits Administrator

#### **Minutes**

A meeting of the Governor's Task Force **Public Safety Committee** was held August 29, 2012 at 1:00 p.m. at the offices of the Department for Local Government, 1024 Capital Center Dr., Ste. 340, Frankfort, Kentucky.

**Introductions:** Chair Danny Reed welcomed members of the Public Safety Committee.

**Opening Remarks:** Committee Chair Danny Reed called the meeting to order and advised that this committee will be addressing some concerns in the area of public safety within Kentucky's current alcoholic beverage laws. In preparation for the work of this committee, other states were surveyed with regard to their respective alcoholic beverage public safety laws. Mr. Reed acknowledged respect for Governor Beshear in creating this Task Force.

#### **Roll Call:**

**Committee Members Present:** – Chairman Danny Reed, Dept. of ABC Malt Beverage Administrator Stephanie Stumbo, Public Protection Secretary Bob Vance, Dept. of ABC Commissioner Tony Dehner, John Harris, KBWA, Eric Gregory, KDA, Dan Meyer, WSWA, and Representative Dennis Keene.

**Committee Members Absent:** – Chief of Staff – Office of the Governor, Larry Bond, Director – MADD, Frank Harris

**Others Non-Member Participants Present:** Steve Humphress, General Counsel, Kentucky ABC, Judy Piazza, LRC - Senate Leadership, Stacy Kula, Attorney-Fayette Co., Rick Schad, Ky. Office of Highway Safety - (for William Bell), Bert May, KLC – Attorney – Franklin Co., Roger Leasor, Tres. KABR, Karen Lentz, Ex. Dir, KABR, Pam Jenkins, Wine Institute, Tara McGuire, Bluegrass Regional Prevention Ct. – State alcohol PES, Tim McGurk, Kroger, Jason Trudeau, KBWA, Jeff Bosick, KBWA, Russ Woodward, AB, Jennifer Doering, KMBC, Neil Willinghurst, Ky. Retail Federation, Ted Mason, Ex. Dir. KGA and KACS, Judge Donald E. Armstrong, Jr., Pres. Ky. District Court Judges Assoc., Gene McLean, Ex. Dir., KBWA, Bob Stokes, OAG, Adam Johnson, Dir. Ky. Bourbon Trail – KDA, John Clay, Retired ABC Commissioner, Tom Bozarth, Mayor City of Midway, KLC, Angela



Criswell, General Public, Jason Underwood, Buffalo Trace Distillers, and Gay Dwyer, KRA, La Tasha Buckner, PPC-OOS-OLS.

**Goals/Mission of Public Safety Committee:** Some goals of this committee will be to improve public safety with regard to alcoholic beverage laws for the purpose of keeping our minors and our communities safe and giving the newly wet areas confidence that their culture will not change and their safety will be preserved. This committee will recommend important changes to the Task Force. Chairman Reed requested that the committee members jointly create a mission statement for this committee.

**Objectives:** Chair Danny Reed stated the objectives of this committee will be to address and recommend changes to current disorderly premises statutes and minors' safety, specifically, effective criminal penalties, deterrents for selling to minors, mandatory education/server training for those involved in the selling and serving of alcoholic beverages, and a medical amnesty law pertaining to over-consumption of minors.

- **Disorderly Premises** – Steve Humphress gave a brief overview of Kentucky's current disorderly premises statute (KRS 244.120) and explained some problem areas of this statute and some reasons for the needed revisions.
- **Minors' Safety** – Mike Razor, Kentucky Alcoholic Beverage Control's Director of Enforcement, highlighted the information submitted by the state of Vermont and recommended this committee take a close look at it. Mr. Reed reviewed the need for a Medical Amnesty law. Effective criminal penalties for selling alcohol to minors need to be addressed. Sandra Watts, Kentucky Alcoholic Beverage Control's Education Branch Manager gave a brief overview of the state's S.T.A.R. (Server Training in Alcohol Regulations) program and its benefits to minors' safety and the relationship between server training and public safety.
- **Education – Training** – Sandra Watts Alcoholic Beverage Control's Education Branch Manager, gave a brief overview of Kentucky ABC Dept.'s STAR Training Program. In 2000 the Department created the STAR training program to educate servers and sellers in responsible service and to enhance ABC's efforts to combat underage drinking. The program is designed to train servers and sellers of alcoholic beverages to identify minors, intoxicated patrons and general knowledge of Ky. ABC laws and regulations. The Department has 21 contract trainers that provide classes throughout Kentucky. Approximately 5,000 people are trained through the STAR program annually. Since its conception ABC has trained over 45,000 people in STAR. ABC's current years' compliance checks are now at 94 percent. There are 57 cities and counties that have adopted local ordinances requiring people that handle alcoholic beverages in their areas to be



trained before employment. The workbooks contain a list of these areas as well as a list of other states that mandate servers training in some form.

**Timeline and Requirements:** The final report of recommendations from this committee is due to the Task Force in late November 2012 or early December 2012. A final report from the Task Force is due to the Governor January 15, 2013.

**Deliverables:** Binders were distributed to each committee member containing information about disorderly premises law in Kentucky as well as other states. Also included was a recent disorderly premises case heard by the ABC Board, survey's from other states, amnesty laws from other states, and information about server training and education programs.

**Committee Assignments:** Committee members and participants were asked to review the materials distributed and compare other states' information provided, examine issues identified as problems and prepare to discuss these at the next meeting.

**Next Meeting Date(s):** The next meeting of the Public Safety Committee will be Tuesday, September 11, 2012 from 1:00 p.m. – 2:00 p.m. at the offices of the Department for Local Government, 1024 Capital Center Dr., Ste. 340, Frankfort, Kentucky. This Committee will have regular meetings the 2<sup>nd</sup> Tuesday of each month through December 2012 at the same location. Other meetings will be scheduled as needed.

**Member Input:** No member input or comments.

**Adjournment:** The Public Safety meeting was adjourned at 1:42 p.m.